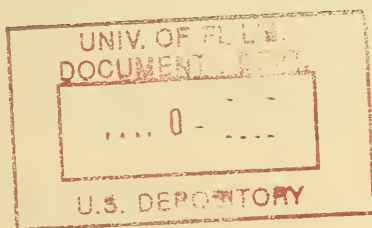


NATIONAL RECOVERY ADMINISTRATION

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AMENDMENT TO  
CODE OF FAIR COMPETITION  
FOR THE  
PYROTECHNIC  
MANUFACTURING INDUSTRY

AS APPROVED ON MAY 11, 1935



UNITED STATES  
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Approved Code No. 148—Amendment No. 3

## AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

## PYROTECHNIC MANUFACTURING INDUSTRY

As Approved on May 11, 1935

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### ORDER

#### APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE PYROTECHNIC MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Pyrotechnic Manufacturing Industry, and Notice of Opportunity to be Heard having been duly published thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise: does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said title of said act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,  
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

JOSEPH F. BATTLEY,  
*Division Administrator.*

WASHINGTON, D. C.,  
*May 11, 1935.*

## REPORT TO THE PRESIDENT

The PRESIDENT,  
*The White House.*

SIR: This is a report on an Amendment to the Code of Fair Competition for the Pyrotechnic Manufacturing Industry, which Code was approved on December 7, 1933.

The purpose of this Amendment is to permit the formulation of voluntary agreements providing for the payment of liquidated damages by any party thereto upon violation by him of any provision of the Code. To become effective, the agreements must receive the consent of the National Recovery Administration.

A Notice of Opportunity to be Heard upon the said Amendment was published January 12, 1935, and expired on February 2, 1935, in accordance with the provisions of the National Industrial Recovery Act. No objections were received.

### FINDINGS

The Deputy Administrator in his final report on said Amendment found as herein set forth, and on the basis of all the proceedings in this matter;

The Board finds that:

(a) The Amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said title of said act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7 and subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority Board to present the aforesaid Amendment on behalf of the Industry as a whole.

(d) The Amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The Amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

Therefore, said Amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,  
*Administrative Officer.*

MAY 11, 1935.

## AMENDMENT TO CODE OF FAIR COMPETITION FOR THE PYROTECHNIC MANUFACTURING INDUSTRY


Amend Article VII by the Addition of the Following Section:

SECTION 3. Any member of the industry may enter into an agreement with any other member or members of the industry providing for the payment of liquidated damages by any party thereto upon violation by him of any provision of the Code, provided, however, that such agreement shall become effective and binding on the parties thereto only after the execution thereof shall have received the consent of the National Recovery Administration.

Approved Code No. 148—Amendment No. 3.  
Registry No. 611-02.

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